

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
Broadcast Localism)	
)	MB Docket No. 04-233
)	
)	

To: Office of the Secretary
Attn: The Commission

COMMENTS

Mountain Valley Broadcasting, Inc., the licensee of WOXC-FM, Norway, ME; WKTQ (AM), South Paris, ME; WTBM (FM), Mexico, ME; WTME (AM), Rumford, ME and WEZR (AM), Lewiston, ME pursuant to *Report on Broadcast Localism and Notice of Proposed Rulemaking*, FCC 08-218, MB Docket No. 04-233, released January 24, 2008 and Section 1.415 of the Commission's rules, hereby submits comments in this proceeding regarding the FCC's several proposed rule changes designed to enhance broadcast localism and diversity, to increase and improve the amount and nature of broadcast programming that is targeted to the local needs and interests of a broadcast station's community of service, and to provide more accessible information to the public about broadcasters' efforts to air such programming.¹

Background of Commenter: **I have been a 100% owner and operator of small town radio stations since 1975. I now have the five (3AM and 2FM) shown above**

¹ By *Public Notice*, DA 08-515, released March 6, 2008, time for filing comments in this proceeding was extended to April 28, 2008. Accordingly, these comments are timely filed.

and all are within 25 miles of our main studio in Norway, ME. The average population of the five cities of license is around 11,000.

A. COMMUNICATION BETWEEN LICENSEES AND THEIR COMMUNITIES

Paragraph 25: Community Advisory Boards: I consider it critical that we are able to quickly respond to the needs of the communities we serve, but the proposed method of doing it is not realistic in my situation. I belong to many civic groups including Chambers of Commerce and civic organizations. Just for economic survival, small market operators must know what the needs of the community are. In trying to form a board, most would say that that they could not add more than I already know. They would also say that if they have a concern, they know how to contact me. In the past, the Commission has recognized the need for different standards depending on the size of the marketplace. I hope that they will see here that small market operators do not need to have the same standards for all.

Paragraph 28: Remote station operation: In considering “requiring licensees maintain a physical presence at each radio broadcasting facility during all hours of operation”, presumably this would mean that someone would have to be on duty in each of my five cities of license, all of which are within 25 miles of each other. **In asking me to go from the current situation to having five people on duty, the**

disastrous economic impact speaks for itself. Furthermore, since this was enacted in 1995, I have received no complaints about lack of service.

B. NATURE AND AMOUNT OF COMMUNITY-RESPONSIVE PROGRAMMING

Paragraph 41: Main Studio Rule: When the Commission allowed the main studio to be within 25 miles of the community of license, it enabled preserving radio service to local communities that did not have the economic ability to support a station on its own.

At one time, I applied for an FM frequency less than 25 miles from my Norway studio. Eventually, another applicant received the frequency. Two years later, they called and offered to sell me the station because they were losing money. **The 25-mile rule saved a service from going off the air in a small, remote, rural western Maine community. By having the 25-mile rule, three of my other stations were also saved from certain economic oblivion.** Returning to pre 1987 rules not only jeopardizes service to small towns, but also, it does not assure the goal of “increasing interaction between the broadcast station and community of service”. For example, we have a daily swap shop, perhaps one of the most relevant ways for community interaction. People can call in or email to buy, sell, or even wish someone a happy day. By complying with a rule that requires us to have a telephone number local to the community of license, the call is forwarded to our

main studio 25 miles away and they are on the air. The **caller does not care where the announcer is** just as long as they can be on the air.

From Norway, ME, I am able to operate five stations licensed to five different cities of license (as shown in the introduction). With a return to the pre 1987 rule, requiring a staff in each community (some of which are adjacent to one another) most of them would have to go off the air because they are not in markets big enough to stand-alone. In fact, each of them was losing money when I purchased them.

In paragraph 41, it says, “In 1998, the Commission further *liberalized* the rule to allow the studio to be located....” I think a more accurate description than *liberalized* would be... “Further attempted to **enable broadcasters to better serve the public by....**”

In addition, in this proposal, which would have a devastating economic impact, it is interesting to note that three of my stations are AM.

In **Paragraph 53**, the Commission states that “the AM band suffers from inherent technical limitations that threaten its viability” thus recognizing the challenges that already exist in operating AM stations. **On one hand, the Commission proposes a huge economic burden and on the other, it admits AM viability is threatened. I see inconsistency in this thinking.**

I also find it hard to understand that the Main Studio rule could be dropped for commercial broadcasters, but it is legal for non-commercial broadcasters such as public radio and religious groups to have wide networks of totally unattended operations. Recently, WCYI in my community of Lewiston, ME, was sold to such group, thereby eliminating any type of localism. If the Commission is truly interested in localism, why does it allow this to happen? Conversely, if this type of operation is acceptable for non-profits why can't it be assumed that commercial stations are serving just as well?

I am also a living example that the 25-mile rule does not hurt Community Responsiveness in that I have received numerous community service awards, the most recent being "Citizen of the Year" from a municipality that is 20 miles from my main studio.

POLITICAL PROGRAMMING

We have consistently had candidates and politicians in our newscasts and we document it each day by listing the participants in an email to those interested in the area. It invites them to hear our newscasts on our website.

C. UNDERSERVED AUDIENCES

A significant number of residents in our area are of French Canadian heritage, so each Sunday morning we have “The French Show” which is French speaking with French music.

D. DISASTER WARNINGS

We maintain and test the EAS system as required. Remote station operation does not impede in its operation as the EAS overrides whatever is on the air.

In conclusion, Mountain Valley Broadcasting, Inc. submits that the above comments should be taken into consideration by the Commission in issuing its decision in the above-referenced proceeding.

Respectfully submitted,

Mountain Valley Broadcasting, Inc

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